

THE HON'BLE SRI JUSTICE GODA RAGHURAM

W.P.No. 2991of 2007

19-02-2007

Between:-

Rayapati Seetha Rathnam and two others.

Petitioners

And

District Collector, Guntur district, Guntur and two others.

Respondents

THE HON'BLE SRI JUSTICE GODA RAGHURAM

W.P.No. 2991 of 2007

Oral order:

The petitioners' lands are sought to be acquired by the issuance of a notification dated 11-09-2006 under Section 4(1) of the Land Acquisition Act, 1894 (for short 'the Act').

The impugned notification states that the acquisition is for the purpose of allotment of house-sites for weaker sections. The enquiry under Section 5-A of the Act is a salutary statutory provision intended for affording a reasonable opportunity to the owners of lands to object to the acquisition on any relevant grounds as they wish to submit.

In the aforesaid circumstances, the respondents are directed to issue notice to the petitioners for submission of objections if any to the proposal to acquire the lands. On the petitioners' submitting their objections within the time stipulated in the notice, the same shall be considered and an appropriate decision taken duly communicating the decision to the petitioners simultaneously with the recommendations made after the enquiry under Section 5-A of the Act by the acquiring authority. The petitioners shall not be dispossessed pending communication of the decision to the petitioners consequent on the enquiry under

Section 5-A of the Act.

The writ petition is disposed of as above at the stage of admission, after hearing the learned counsel for the petitioner and the learned Government Pleader for Land Acquisition. There shall however be no order as to costs.

GODA RAGHURAM, J

Dated:19-02-2007

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